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Draft report

Rapporteur: Mr. Christopher John Robert **Dugard**

Chapter VII

State responsibility

B. Consideration of the topic at the present session

1. At the present session the Commission had before it the comments and observations received from Governments on the draft articles provisionally adopted on first reading.[1] It also had before it the first report of the Special Rapporteur, Mr. James Crawford.[2] The report dealt with general issues relating to the draft, the distinction between "crimes" and "delictual responsibility", and articles 1 to 15 of Part One of the draft. The Commission considered the report at its 2532nd to 2540th, 2546th to 2547th and 2553rd to 2558th meetings, held from 19 to 29 May, 11 June, and 31 July to 7 August 1998.

2. The Commission established a Working Group[3] to assist the Special Rapporteur in the consideration of various issues during the second reading of the draft articles.

3. At its 2547th meeting, the Commission decided to refer draft articles 1 to 4 to the Drafting Committee. At its 2555th meeting, the Commission also decided to refer draft articles 5 to 8 and 10 to the Drafting Committee. At its 2558th meeting, the Commission further decided to refer draft articles 9 and 11 to 15 *bis* to the Drafting Committee.

[1] A/CN.4/488 and Add.1 and 2.

[2] A/CN.4/490 and Add.1, Add.2, Add.2/Rev.1 (French only) and Add.2/Corr.1 (Arabic, Chinese, English, Russian and Spanish only) and Add.3, Add.4, Add.4/Corr.1, Add.5 and Add.6.

[3] For the membership of the Working Group see section ... in paragraph ... above.

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4. At its ... meeting, the Commission took note of the report of the Chairman of the Drafting Committee on articles, 1, 3, 4, 5, 7, 8, 8 *bis*, 9, 10, 15, 15 *bis* and A. The Commission also took note of the deletion of articles 2, 6 and 11 to 14.